was not aware that any such had been received by the Beard, but if there had been, it was done uncon-sciously. The law does not prescribe the manner in which the Commissioners are to ascertain the validity of the signatures to petitions for license, and of the qualifications of parties applying. The Board found it impossible to look closely into the property qualifications of petitioners, and they were compelled to rely on the oath of the subscribing witnesses. The loos masser in which the law had been drawn up, on the vital point of property qualification, rendered it impossible for the Commissioners to prevent many improper persons from obtaining licenses. Hereafter, appli-cants would be required to present their petitions perconally or through some respectable attorney; and the chances of the success of the application would de-pend much on the character and standing of the attor-

The Commissioners, he further remarked, had given to applicants an interval of the whole month of August, and if they did not hurry up their petitions so gust, and if they did not harry up their pertuons so that they could be acted on before the expiration of the fifty days, it would be their ewn fault. That as the dudes of the Commissioners would of course cease at the end of the fifty days, those whose papers had not thon been passed on would be in no better a posi-tion than if they had not applied.

COMMISSIONERS OF HEALTH.-This Board met at noon yesterday, in the City Library room. Present-Jonn Clancy, Jonas N. Phillips, President of the Board of Courcilmen: Commissioners Miller, Thompson and Rockwell. The petition of captain of brig John Boynton, from Port au Prince, to come from the lower to the upper Quarantine, was granted. Brig Koloa, from Trinidad, now at Lower Quarantine, petitions for permission to come to the city and dis charge cargo. Denied. She was permitted to come to Upper Quarantine and discharge cargo on lighters but no further. Brig Fredonia-same decision Schooner Maria L. Davis was allowed to proceed to the city. The owner of 52 bales rags, on schoone Norman, petitioned to bring them up on lighters from Quarantine, with balance of cargo, to be then reship ped for another port. He states that the same per ssion was granted last year, and that to land them at Quarantine would be a total loss. The matter was referred to the Health Officer, with power.

Copy of a letter to the Mayor, which was trans

Copy of a letter to the Mayor, which was transmitted to the Commissioners of Health:

Consulate of the United States, Mingston, Jamales, July 13, 1857.

Sir: I have the honor to inclose copies of The Colonial Standard and Daily Advertiser of this city, containing information respecting the sanitary condition of Kingston and Black River. I have the honor to be, Sir.

Your most of the and humble servet,

Your most of the MONROE HARRISON.

The Hon. Fernando Wood, Mayor of the City of New-York.

From The Colonial Standard.

The weather, during the last fortnight, has been dry on the south side of the Island, and there has been some sickness principally, however, derived from St. Thomas, where yellow fever appears to have become epidemic, ever since the Royal Mail Steam Gompany fastened upon it for its central station.

There is scarcely a steamer that comes from St. Thomas, that does not bring numerous cases of fever, and so deadly is difficult shortly to man their ships.

The Cytle, two weeks ago, brought down a fearful lot of disease and death, and since the Conway came in, we understand some fever cases have developed themselves.

From The Daily Advertiser, St. Elizabeth.

A correspondent writes:

The present unhealthy state of this place (Black River),

A correspondent writes:

"The present unhealthy state of this place (Black River), coupled with the want of medical aid, is deptorable. We have had, within the last ten days, as many deaths—six inhabitants and four sailors, of typhus and yellow fevers. Mr. John Gray, of Scotland, late accountant to Mesers. D. King & Co., broathed his last at Lacoria, on Friday, after a week's illness, of yellow fiver."

The communication was ordered on file, and the Board adjourned.

THE OLD MACHINE. - The firemen of Philadelphis intend to parade at the Elmira Tournament "the first Philadelphia Fire Engine." This fire engine, which was the first ever used in Philadelphia, was built as au experiment in London, in the year 1689, and was the first ever made on the air-tight chamber principle. It was bought by some of the descendants of Penn, and brought to Philadelphia, where it was kept in use for a long while. It was the first fire engine ever used in the United States. In course of time it became inadequate to the wants of the city and was sold to the borough of Bethlehem, where a Company was formed calling themselves the Perceverance Fire Company, which company is still in existence, and which still retains possession of the old relic. The engine is of the same style as some of the present New-York machines. It has a gallery and side stream, and suction. It is at present in good working order, and will throw a stream of water a distance of about 75 or 100 feet horizontally. When the firemens of about 75 or lest year was contemplated, an arrangement was effected with the company for the loan of the machine, to occupy a position in the parade. She was placed on a platform with wheels and drawn by six or eight gray horses. The Perseverance Fire Co., of Bethlehem have now a new apparatus, of the second class. The equipments of the Company are of the New-York

SPECIAL SESSIONS .- The time having arrived for the opening of the Special Sessions yesterday morning, Justice Osborn, with characteristic punctuality was on hand, with the clerks and police belonging t this Court, ready to commence proceedings. But Jus tice Welsh, the officer expected to act with Judge Os born this morning, was absent, and consequently no organization could be effected. After waiting for Justice Welsh from 9 o'clock till 101, it was whispered around that the latter official was unavoidably de tained by sickness, when Justice Osborn directed the officers to take the prisoners back, and announced that no Court would be held. It was also announced that the bail cases would get notice when they were to be fried. The Court will open again as usual on Thurs-

THE ALLEGED SLAVERS .- The schooner Merchant, charged as a slaver, having been bonded, was yester day discharged from custody by Judge Ingersoll, pend ing the appeal from Judge Betts's decision to the United States Circuit Court. The sureties were Augustus R. Lane (residence No. 202 Monroe street, busi ness, ship-smith, No. 244 South street), and Jesse A residence No. 203 Monroe street, business sailmaker, No. 272 South street), who each justified in the sum of \$8,000.

An effort will be made to bring on the trial of the Panchita on Tuesday next, when the process is re-turnable.

EXPLOSION AND NARROW ESCAPE.-On Saturday last, as the workmen were in the act of shutting off the steam of one of Woodworth's planing machines, at the mill of Manu & Keeler at Yonkers, it burst into thousand pieces, tearing and breaking everything around it. The men in attendance on the machine had a very parrow escape from injury.

FOUND DEAD-A. W. Leggatt. aged about 40 years, a respectably-connected and much esteemed resident of West Ghert, Columbia County, was found dead in a field in the town of Stockport, on Saturday afternoon last. He had been missed since the Tuesday preced ing. He leaves a wife and three children to moura his untimely and.

DEAD BODY RECOVERED .- The dead body of a gir six years of age, daughter of Philip Riley, residing a No. 258 West Twenty-eighth street, who was drowned on Sunday last, was recovered from the water and conveyed to the residence of her parents, where Coroner Hills was notified to hold an inquest.

CARSLESSNESS IN BLASTING .- During the process of blasting rocks in Thirteenth street, between Breadway and University place, yesterday afternoon, in cocsequence of the blast not being properly covered, a fragment of rock nearly as large as a hat was thrown with great velocity a distance of nearly 200 yards, and f-Il upon the sidewalk just as a number of gentlemen and ladies had passed. Officer Scott of the Fifteenth Precinct being in the neighborhood at the time, and seeing the narrow escape met with by the ladies and gentlemen, hunted up the Inspector, a man named Richetson, whom he found in a porter-house not far Ricketson commenced a perfect tirade of abuse against Officer Scott in particular and the Police in general Scott, instead of arresting the man at once, for abusing him while in the discharge of his duty, as he had as therity to do, proceeded to the Jefferson Market Po lice Court and preferred a complaint, but no action has yet been taken in the premises. The officer says the escape of the parties in the reighborhood at the time was almost miraculous.

DEATH UNDER MYSTERIOUS CIRCUMSTANCES, -Mr. Augustus Vanliew, late of No. 12 Hubert street, was discovered by a colored woman late on Monday night, lving on the cellar door of a house in Mercer street, near the corner of Canal.

Information was forthwith given to Officer Classon of the Eighth Precinct, who, on examination, found Mr. Vanliew to be dead. A carriage was procured, and the remains taken to the Station-House corner of Prince and Wooster streets. The relatives of the deceased were informed of his death, and soon afterward

appeared at the Station-House.
On examining the body, contused wounds were found on each temple; and as the deceased had been robbed of his gold watch and chain, beside some \$40 in money, the marks of violence led to the painful conclusion the he had been knocked down and murdered by rowdies, who afterward rifled his peckets of the valuables they contained. Mr. Vanliew, however, was subject to fits of blind vertige, and it is possible that he had one of these attacks in Mercer street, and in the fall received the injuries as described. If so, the thieves of that neighborhood robbed him after death.

Mr. Vanliew was at home up to 10 o'clock in the evening, when he went out, saying to his wife before closing the door that he would bring her a bottle of por'er when he returned, but she saw him no more a ive. Mr. Vanliew was formerly a partner of Moses Laird, esq., in conducting the Museum Hotel in West Broadway, corner of Franklin street.

Some time before the body of the deceased was disdevered, he was seen on the corner of Broadway and Canal street, leaning forward over the iron railing, as if sick or injured. From there he must have groped his way to the next corner, where he fell and died. As far as known, Mr. Vanliew had no mortal enemy who would thus seek to waylay and marder him, and the great number of people passing through Mercer and Canal streets at all hours of the night, almost preclude the possibility of a murder being committed there without some one or more persons being witnesses to it. The deceased was perfectly temperate in his habits, and it is not to be supposed that any collision between him and the many ruthans who infest the locality where his remains were found could have taken place from his being inebriated. The wounds on the head of the deceased, as revealed by the post-mortem examination, do not present the appearance of having been inflicted with a murderous instrument, although Dr. Finnell is of the opinion that the wounds as de ibed were the result of blows inflicted by design and not occasioned by an accidental fall on the pave ment; the wounds (so says the doctor) were of a more serious nature than a simple fall would produce; and the the quantity of extravasated blood in the brain was much greater, in the doctor's estimation than could ensue from a simple fall. Dr. Finnell has but little doubt, from the investigations he has made in the matter, that the death of Mr. Vanliew was the result of intentional violence.

Coroner Hills commenced an investigation yesterday into the causes of death, and took the following evi-

James Chasman having been sworn, depos an officer in the Eighth Ward; was on duty from 7.1 to 12 octook last night; in passing along Mercer street opposite Howard, about twenty-five minutes to 12, was accosted by a colored woman, who said a man lay dead in Mercer street; I went there and found deceased about feurteen feet from the corner of Canal street there was a crowd of seven or eight persons around the there was a crowd of seven or eight persons around the deceased when I arrived, among whom were a couple of women; he lay on the cellar-door, with his head toward the house, about four inches from the wall; his face had the appearance of being rubbed against the lintel; my opinion is that deceased had fallen in a fit, and the dirt on his face was attributable to its coming in contact with the lintel, which looked as if the dirt had been rubbed off; I observed no marks of violence on the body at that time; his pantaloon pockets had been turned inside out, and his bunch of keys were found between the head and the door sill; I saw nothing of the remnant of a watch-guard until this morning; found between the head and the door sill; I saw nothing of the remnant of a watch-guard until this morning; the memorandum book I found in the side pocket of his coat; I judged from the condition in which I found his packets that he had been robbed; the colored woman told me this morning, that she first heard that the man lay dead from two girls who came running into the house; she could not tell me the names of the gleis, but supposed they came into her house as it was the first one they saw open; a private watchman, named Augustus Gantier, told me he haw deceased about 114 o'clock last evening leaning on a railing, as if fatigaed; I afterward carried deceased to the Eighth Ward Station-House, and subsequently brought him to his residence, No. 12 Hubert street.

Harmon Lutzens, living at No. 54 Howard street, being duly sworn, said—About 114 o'clock I was shut-

being duly sworn, said-About 114 o'clock I was shu ting up my store, and a man came and asked me if had seen an officer, as a man lay dead or nearly dea on the corner of Canal and Mercer streets; I wer on the corner of Canal and Mercer streets; I went down there and saw some four or five mean standing near, and just then I saw an officer come; I sat at my store door with another man for an hour before, and I saw no disturbance and heard no noise; from where I sat I could see up to Canal street, where the deceased was found; there is no lamp near where the body lay, and I did not distinguish it before I went to the place; had there been four or five men standing there I should have seen them, or had there been any noise I should have heard it.

Louisa Begert, colored, sworn—Resides at No. 53 Mercer street, and works at No. 1; I think it was 11; oclock just evening, two girls came to the door of our

Mercer street, and works at No. 1; I think it was 11; o clock last evening, two girls came to the door of our house, which is always unlatched, and walked into the front parlor; Mrs. Bennett, who keeps the house, was in the front parlor; I was up stairs at the time and I heard them say that a man lay on the corner either drunk or dead; I don't know who these girls were; I had never seen them before; Mrs. Bennett said, "Louisa, go out and see the man;" I went and saw the body; the grocery man and a stout policeman were there; the policeman asked a hack-driver to take the dead man in the carriage, but he refused unless he were paid first; Mrs. Bennett said she did not know the two girls that came into the house; they left immediately after I returned from viewing the body.

the two girls that came into the house; they left immediately after I returned from viewing the body.

Jean Leucota, being duly sworn, testified—I recide at No. 5 Mercer street; I saw deceased about 5 or 10 minutes past II, as I was passing up Mercer street; be lay on the cellar-door with his head against the wall; I was passing quickly, and my feet struck against him; I looked at him a moment, supposing him to be drunk; I then passed on home; I usually see persons passing to and fro as I go home, but I saw no one last night.

Drs. Finnell and Hassell being sworn, said—We have made a post-mortom examination of the body and found three bruises on the head, one two inches above the left eye, and presenting well-marked signs

and found three bruises on the head, one two inches above the left eye, and presenting well-marked signs of extravaration; the other two were on the right side of the head, one on the temple and the other above it, both presenting the character of abrasions, differing from that on the other side of the head, which appeared as it produced by a blow; several slight ornises were on the fingers, arms and legs; on examination, all the organs were found healthy except the brain, which presented signs of extravasation at the base of the skull, extending over both hemispheres, and small clots were found on the lateral ventricles.

The physicians are of opinion that death was caused by compression of the brain, the result of the injuries to the head.

Augustus Guntier being sworn said—I am a private

Augustus Guptier being sworn said-I am a private Augustus Guntier being sworn said—I am a private watchman; my beat extended from Csnal and Broadway over Greene, Howard and Mercer streets, back to Canal; saw a man between 11 and 11½ o'clock leaning over the iron railing corner of Broadway and Canal street, who appeared to be very like deceased; I helped convey him to the Station-House; heard no noise or scuffle around there at any time; if there had been any I would have probably heard it.

No more witnesses being present, Coroner Hills post-

pored the further investigation of the mysterious affair till 9 o'cleck this morning, at the Coroners' office, N > 6 Centre street. Mr. Vanliew at the time of his death was the confidential clerk of Mesers. C. R. Woodford & Co., manufacturers of portable gas apparatus at No. 74 Wall street, and was very highly esteemed by those gentlemen.

DEATH BY DROWNING .- The body of an unknown man, about 25 years of age, supposed to be a native of Ireland, was found floating in the dock foot of Thirty-eighth street, N. R. No marks of violence Richetson, whom he found in a porter-house not far distant. The officer remonstrated in regard to the correlations with which the blast was covered, when was about five feet eight inches in hight rather sim

wilt, dark hair and reddish whisken under the chin. His dress consisted of a black frock cost, black pasts (no vest or suspenders), white muslin shirt, and patent leather Congress gaiters. He presented the appear. ance of having been is the water only about 24 hours.

BREAKING A CLUB OVER HIS FATHER'S HEAD, -John Lynch, a resident of the Five Points, got into an altercation with Owen Burn, his stepfather, yesterday morning, and becoming greatly enraged, seized a policeman's club which he had in the room and broke it into splinters over the old man's head. Lynch was arrested and taken to the Tombs, where Burn preferred a complaint against him, but had no sooner done so than he desired to withdraw it. Justice Connolly sent Lynch to prison and detained the stepfather as a

CHARGE OF FALSE PRETENSES.-William C. Smith, formerly a resident of Buifalo, was yesterday brought to the city in the custody of the Chief of Police of Buffalo, on a warrant issued by Justice Welsh. Smith is charged with obtaining from Mr. John Warren, a merchant in this city, doing business at No. 24 Maiden lane, by means of false and fraudulent representations, property to the amount of \$5,000. The complaint was nade before Justice Welsh at the Lower Police Court when Mr. Warren testified that from January 7, 1857 to June, 1857, W. C. Smith, a resident of Buffalo, in Erie Co., N. Y., dealt with him in purchasing merchardise; that on or about the 20th day of June, 1857, Smith applied to Mr. Warren to purchase merchandise amounting to about \$8,000. Mr. Warren made inquiry of Smith as to the probability of said merchandise be irg paid for, when Smith represented that he was then worth at least \$25,000 over and above all his debts and liabilities. This statement Smith reiterated in the presence of Wm. Baker, one of Warren's salesmen. In consequence of such representations, Mr. Warren sold to Smith a large quantity of merclandise, consisting of Watches, jewelry, cutlery, plated goods, and other articles of a like nature amounting to \$8,000. Prior to purchasing said goods, Smith also represented to Mr. Warren and his salesmen that he carried on a very extensive business in Buffalo. On or about the 16th of July, instant, Mr. W. learned from persons in the City of New-York that said W. C. Smith was and had been for some time insolvent. Upon the receipt of this information, Mr. Warren and his clerk, Joseph F. Green, proceeded to Buffalo, arriving there on the 18th inst. They there discovered that said Smith had absconded from Buffalo, and that he was in insolvent circumstances and unable to pay his debts-further, that the said Smith had for some time been purchasing merchandise of various persons in the City of New-York and elsewhere, and, after obtaining possession thereof, had sold the same, at auctions and otherwise, at one half of its cost price. Mr. Warren also found that said Smith was in a state of insolvency when he made the representation that he was worth \$25,000.

The statements set forth in the affidavit of Mr Warren were substantiated by the affidavits of Wm Baker and Joseph F. Green. Justice Connolly, before whom the accused was taken upon his arrival in the city, committed him to prison for examination.

PASSING COUNTERFEIT MONEY .- A young feilow giving his name as William Holmes was arrested yes terday by Officer Fowler, charged with passing counterfeit money. Holmes, in company with another pereon, it appears, went into the grocery store of Christian Hanfield, No. 1,014 Broadway, and purchased six cents worth of liquor, offering in payment therefor a \$5 counterfeit bill on the Ocean Bank of this city. While Herman Dierkson, the clerk, was examining the bill, Mr. Hanfield came in and pronounced it worth less, upon which Holmes threw down a ten-cent piece in payment for the liquer, though he had previously asserted that he had no other money but the bill in question. Upon being asked by Mr. Haufield where he obtained the bill, he told him it was none of his business, and conducted himself in a boisterous and rowdy manner. Officer Fowler was called in, and the offender arrested. Ald. Fulmer committed Holmes to prisen to answer the charge.

NARROW ESCAPE FROM TRIEVES .- On Monday night William Brown while passing through Chatham street was attacked by a gang of thieves, who attempted to rob him of his wallet. Officer Quick hearing Brown's cries for assi-tance hastened to the spot. whereut on the thieves fled. Brown went to the S'ation-House and remained a little time, and then started for his residence in West Twentieth street.

ARRESTS AT QUARANTINE .- Officers " McSymon, O'Ronrke, Van Cuef and Decker, arrested, on Monday right, two men named James Harmon of No. 1501 Cherry street, and Wm. Haley of No. 93 Oliver street, for violating the huarantine regulations. They detected on board an infected vessels stealing and boving sugar.

STEALING PORK -A fellow named George Rothermel was arrested yesterday and taken before Justice Brownen at the Essey Market Police Court, on a chagre of stealing \$25 worth of pork from George Kelsey of No. 229 Ninth street. Accused admitted having committed the theft and made an affidavit that he sold the property for \$10 to Wm. Robenstein, grocer, at No. Broome street. Jacob Gebhard made an affidavit that he purchased the contents of the above-named grocery on Menday from the mother-in-law of Robentein, the pork being included in the purchases. The parties were committed.

NOTES FROM THE POLICE RETURNS OF TUESDAY MORNING-Second Precinct .- In this Precinct there were four arrests.

At 4] p. m. a respectably dressed man was found prostrated, from the effects of the heat, at the corner of Wall and Nassau streets. He was conveyed to the City Hospital. His residence is in Brooklyn.

The African, about whom so much excitement was created a few days since, on suspicion of his having been entrapped on board the brig Fiora, for the purpose of selling him into Slavery, was arrested on Mon-

day for disorderly conduct.

Fifth Precinct.—In the fifth precinct there were twenty-nine arrests. Of these the following named prostitutes were arrested on a charge of disorderly

corduct, drunkenness, &c : Mary Sullivan. United States, 34 years of age.
Florence St. Clair, United States, 22 years of age.
Anna Brown, United States, 19 years of age.
Anna Brown, United States, 19 years of age.
Josephine Johnson, United States, 18 years of age.
Josephine Johnson, United States, 18 years of age.
Mary Johnston, Ireland, 22 years of age.
Mary Fesley, United States, 19 years of age.
Mary Fesley, United States, 19 years of age.
Mary Whiting, Ireland, 22 years of age.
Maria Parker, Ireland, 21 years of age.
Ellen Callahan, Ireland, 19 years of age.
Larar Smith, Germany, 20 years of age.
Larar Smith, Germany, 20 years of age.
Anna Marvin, United States, 25 years of age.
Mary Comer, living at No. 48 Chrystie street, at-

tempted to commit suicide on Monday night by taking laudanum. She was taken to the Hospital by Officer Five boys were arrested for violating the city ordi

nances by swimming in the dock. Upon being taken to the Tombs they were discharged by the magistrate. Eighth Precinct. There were thirteen arrests in this precinct, three of whem were prostitutes.

Capt. Turnbull reports that at 112 o'clock on Mon day night, Officer Chasmer, while patroling his post found a man named Augustus Vaniew lying on a cellar-door in Mercer street, near Canal. Upon exami-nation, he was found to be dead. The body was immediately brought to the station-house and his friends notified, and by their request the body was taken to his late residence, No. 12 Hubert strest, and the Coroner notified. At 10 p. m. deceased left his residence to take a walk, saying he would soon return.

Fifteenth Precinct .- There were seven arrests in

Thomas Brown, a laborer, while at work at the nee building No. 34 Tenth street, fell from the third story to the bescureit, injuring him severely. He was re-moved to his residence in Thirty-fifth street by his

Twentich Precincl. Two surets in this procinct.

The body of a girl 6 years old, daughter of Philip Riley of No. 258 West Twenty-eighth street, drowned on Sauday, was recovered yesterday and taken to the residence of her parents.

The body of a drowced man was found yesterday morning at the foot of West Thirty-eighth street, by Officer Martine.

Twenty-second Precinct .- Three arrests in this pre cinct. Monday morning, about 9 o'clock, Office McDongal discovered the dead body of a child lying in a small box at the foot of Forty-third stre t, North River. He had it removed to the Station-House and the Coroner notified.

ANOTHER BURGLAR CAUGHT,-During the tem porary absence of John Schroeder, keeping a grocery store and residing on the corner of Twenty-ninth street and the Second avenue, the dwelling part was burgiariously entered by a fellow named Monrowe McClair. Mrs. Schroeder was attending the store at the time, her husband being away at the market. Upon the return of Mr. S., he with his wife proceeded up stairs to breakfast, when on their way they encounered McClair coming out of one of the rooms. Mr. Schroeder instantly seized the rascal, when he drew a large knife, upon which Mr. S. released his hold. McClair started to run for the street, but was tripped up by Mr. S., and fell headlong down the stairs. this moment Mr. Andrew Hay, a friend of Schroeder's, made his appearance and assisted in capturing the thief. On their way to the Station-House they met Officer Paleston, Twenty-first Precinct, and gave the burglar into his custody. Upon searching McClair, a quantity of jewelry, the property of Mrs. S., was found about his person; also a bunch of skeleton keys and a carpenter's chire! Alderman Fulmer, acting Magistrate at the Jefferson Market Police Court, committed McClair to prison in default of \$2,000 bail. The prieoner is 23 years of age, was born in this city, lives in Water street, and upon being questioned in relation to the charge, remarked that he had nothing to say.

ARREST OF SUGAR THIEVES .- On Monday night last, the Special Policemen appointed by the Metropolitan Commissioners to assist the Health Officer in the discharge of his duties, were fortunate enough to capture two thieves, named James Harmon and William Halev, who were on the point of boarding a vessel having sugar on board, at the Quarantine ancherage. The rascals made some resistance, but were quickly brought to terms, and confessed that their obect was to help themselves to as much sugar as they could carry off. Their boat was a fast-rowing craft, supplied with bags to receive the sugar, implements break into hogheads and casks, and a sufficiency of cold feed and brandy. Notice of the arrest was sent to Superintendent Tallmadge yesterday morning. The practice of robbing vessels at Quarantine is not a new thing. Last Summer cargoes are estimated to have suffered from bay-thieves to the extent of \$10,000. The vigitance of the Health Officer, backed by police aid, will now doubtless put an end to it.

ARREST OF JOHN DOE .- A colored man rejoicing in the sobriquet of John Doe, was arrested in the Second Precinct yesterday for disorderly conduct. Doe is said to be the individual concerning whom so much excitement was recently created; it being supposed that certain parties were laying plans to decoy him on board the brig Flora, for the purpose of selling him into Slavery when the vessel should reach New Orleans.

Burglary.-One day toward the end of last week, Mr. J. J. Hyde locked up his residence, No. 30 Eleventh street, and taking the key in his pocket, went to join his family for a week among the Green Mountains. The house was left, as Mr. H. thought, secure against burglars; but on Sunday evening, just after dusk, a servant of one of the neighbors saw the front door standing wide open. She called in some policemen, and some of Mr. Hyde's friends being summoned, a and some of Mr. Hyde's friends being summoned, a search was instituted. At first it was supposed that the intruders had walked in at the door; but examination showed that they had lifted out the cellar grating in the front yard, and forced open one of the links of the chain by which it was fastened. The burglars then apparently entered the cellar, and going directly to the stairs, by main force wronched off the boilt of the door, thus obtaining entrace to the basement. Here the searchs helped themselves to the ice picker from the refrigerator and proceeded to me it as a "innuny" in their further operations. After ransacking the basement and finding nothing worth taking away, they went up stairs and systematically searched every ment and finding nothing worth taking away, they went up stairs and systematically searched every room in the house. The bureaux were all found broken open by means of the ice-picker; the table drawers were emptied of their contents; the beds were ripped open and every trunk unpacked; closets were unceremoniously cleared out, and private boxes turned upside down. The nooks and corners of the nouse were examined for hidden plate and jewels; the carpets pulled up and the mattresses and sofus probed. Everything was turned topsy-turvy, and it looked as if the scamps had endeavored to leave as complete a scene of confusion as possible behind them. The burglars were doubtless all day Sunday at their rascality, for it must have required hours to make the thorough search they did. In the drawing-room there was evidence that the burglars had had a good time. The search they did. In the drawing-room there was evidence that the burglars had had a good time. The wine cellar had contributed sundry bottles, and four chairs around a marble table, upon which several packs of cards were carelessly thrown, as if the players had just risen from their amusement, proved that the intruders were in no namer of means afraid of interruption. When their game was over, the thieves probably shouldered their "swag," and forcing open the lock of the front door, quietly walked off. Whether they made much of s haul or not, has not yet been ascertained. They did not attempt to open the platease, and very happily were good-natured enough not to destroy the mirrors, or mutilate any of the furniture, except what was unavoidably broken in the course of their search.

DEAD-RABBIT SHIRTS.—Among the latest improvements in underclothing is a shirt which we saw yesterday, wern by a rough-looking customer on the New-York boat, at the foot of Walaut street. The article had a white ground, and was embellished all over its surface with prints of dead rabbits hanging by the heels. The rabbits were done in vermilition. The garment was suggestive, and went to show that our calico printers are wide awake. We have seen mariners' shirts printed in an anchor pattern, but they have been in existence for a long period. The dead-tabbit shirt, however, is a novelty. In our view, the nave been in existence for a long period. The deat-rabbit shirt, however, is a novelty. In our view, the nan who were it may be set down under the same head. He looked as though a sort of cross between a "Plug Ugly" and a "Hydraulic Ram." [Philadelphia North American.

[Advertisement.]
How Many Voices Had He?—Moore tells us of a man who had two voices, but WYMAN the Wizard, the great attraction at Barntus's Muszom now, has eight. He employs them all at once in his ventrilequial feats, and the effect is astonishingly amusing. These and his tricks of magic may be witnessed this Afternoon and Evening.

FINE POCKET CUTLERY.—The subscribers offer every variety of the above, made by the first manufacturers, being the richest display of the kind in the city. J. & S. Satsonas, store only at No. 7 Astor House.

ASTOR HOUSE—\$2 50 PER DAY.—The fourth Seven-Years' Lease," commenced in May, 1837, will end May "Seven Years' Lease, "commended to same system that has did This House is conducted upon the same system that has did A Restaurant has been added for Merchants doing business In the Victority.
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Esmilies will find this one of the coolest Hotels in New York during the Saurmer, and the Ladies' Department perfect in all this produces real comfoir.

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[Advertisement.]

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LAW INTELLIGENCE.

THE STREET COMMISSIONERSHIP. THE ARGUMENT CONCLUDED ON THE HABEAS CORPUS.

At 11 o'clock yesterday, Judge Ingraham took his seat in the Common Pleas Chambers to hear the concluding argument of Mr. O'Conor in behalf of the discharge of Mr. Devlin from custody, on the writ of haleas corpus. The argument occupied until rear 3 o'clock, when Judge Ingraham took the papers. The following is an abstract of Mr. O'Conor's, argu-

ment, and contains the legal points contended for:

Mr. O'Conor contended that the statute authorised the proceeding only against a predecessor who had quit and surrencered the office, or against one in possession of some book or paper taken possession of by himself or some other during a vacancy. Admitting, for the sake of argument, that Daniel D. Conover was duly appointed and in actual possession of the office, with its books and papers, as alleged by him before Judge Peabody, then Mr. Devilu was merely a tresspasser, intruding upon him, and forribly seizing his impressed by the official agents of a corporation, and appres used by the official agents of a corporation, and appressed by the official agents of a corporation, were not "books or papers in the custody of an officer or in any way appertaining to his office," within the sense and meaning of the act. In support of this Mr. O'Conor cited R. S. 124, art. 5; Frost agt. Brisbin, 19 Wend. 12; Leval agt. De Liesserline, 4 McCord's R. 68, 71. Second,—The statute was admitted on all hands to be applicable only to a case where the office was not in possession of the applicant. (5 Hill's R. 633.) Yet Conover's original complaint neither averred facts shawing a legal little from which possession might be presumed or stated, as a fact that he had actual possession of the office. Thirs' —This defect in the original complaint could not be lawfully supplied by proofs given subsequently to the inving the order on Devlin to show cause; but if it could have been so supplied, then the subsequent affidavits of Conover, especially when coansected with their express and implied admissions touching Devine's acts and title, show a case not within the statute, in the following respects: Conover's affidavits disclosed the case of a contested succession, and that, legally or illegally, he was, in fact, held out of the office, with their tempth of the public took, and papers were in their rightful intended to provent of the public conound the proper places of deposit. They coul

ing the pendency of a young the same period.

The doctrine that in this summary proceeding the title to the office could not be tried, had been pervetted in this case to purposes precisely opposite to its end and aim. The doctrine was that one in possession should not be ousted in this summary way by reason of any suppered cefect in his title. This was the whole length and breadth of the doctrine of officer defacts. It was rightly argued before Judge Peabody, by Mr. Dovlm's counsel that he, bing a rival claimant to the office, could only be dispossessed thereof, or of any of the books and papers appertain ag thereto, by due judicial action in a quo vaccianto. (5 Hills R, 633) The principle was most singularly turned against the party who invoked it. The result of the proceeding was, that although Mr. Conover set forth his title on the record, and showed it to be bad, yet that from a brief, transient and contested occupancy he was an officer de facto, and should recover the papers from him who, for august the Judge knew, or would venture to decide, was the officer de facto. In support of this Mr. O Conor cited Burks agt. Elliot, 4 Irecell's Law R., 361; Wilcox agt. Smith, 5 Wend., 233. He contended that an officer proceeding to end of the powers against an individual could never, in such proceeding, sustain himself on the ground that. such proceeding, sustain himself on the ground that he is officer de facto, if it appear that he was not officer de jure. (Cummings agt. Clark, 13 Vermont, 657; Cornieh agt. Young, I Ashmead's R. 156 and note; Fowler agt. Beebe, 9 Mass. R., 235; 2 U. S. Dig., title Fowler agt. Beebe, 9 Mass. R, 235; 2 U. S. Dig., title office and officers, sees. 19 to 25.) It was only as between third persons, one or both having acted on possession and apparent right, that the principle of officer de facto applies. When the officer was himself a party he must show that he is officer. It is a monstreus perversion of the law on this head to say that a claimant, after two or three days alleged possession, might go before a justice, show that he had himself no right or title to the office, virtually admit that the party proceeded against had a good title to it, and that the justice might thereupon take the books and papers from the hands of the lawful officer and deliver them to the illestimate pretender. to the illegitmate pretender. Mr. O'Coner contended that it was too plain a pr

justice might thereupon take the books and selver them to the illegiumate pretender.

Mr. O'Conor contended that it was too plain a propesition for serious argument, that the appointment of Mr. Devlin was valid, and that that of Mr. Conover was void. The charter of 1857 provided in general terms that the heads of the departments (not elected by the people) "shall be appointed by the Mayor, with the advice and concent of the Board of Aldermen." (Section 19.) There was nothing in any rule of construction or in the reason of the thing to limit this power of appointment to the single case of a vacancy created by afflux of time. The whole power of appointment was vested in the city authorities. "Every election (or appointment) is to supply a vacancy either actual or anticipated." (Per Savage C. J., People agt. Coutant, 11 Wendell, 134.) The amended charter made special provision for vacancies occasioned by casualty is elective offices. (Secs. 6, 17 and 29.) This was necessary, and the vacancy was in every instance required to be filled by local or city authority. There was no necessity of providing specially for vacancies in offices held by city appointment. The appointing power was always in fife, capable of action, and it was by the terms of the charter distinctly pointed out. The attempt, by a fanciful and far fetched construction of section 51, to withdraw the interval between the case of a vacancy in the chie finiship of adopartment wholly unprovided for except by a strained and unnatural application of the law of 1849, could not prevail. Judge Peabody declined to adopt this construction, or to express any opinion on the title. Judge Davies avoided expressing any opinion on it. Judge Roosevelt intimated an opinion gainst it. Therefore, so far as the Judiciary was concerned, this souciet was without support. The inapplicability of the law of 1849, in its details, to the case of an office held by appointment, was conclusive again the right claimed under it by Conover as Governor's appointees (11 Wend., 321). The

appointment, no general provision was made, or was necessary, except in cases where the legislature, or some branch thereof, exercised the appointing power or was a part of it. (I.R. S., 333, sections 47 and 48.) It was necessary to provide in respect to the people and the legislature bodies, for they had intervals of repose during which the appointing power must be do mant. In all other cases the appointing power was at all times capable of action, and could exert its functions to meet the emergency at the instant it arcse. Consequently it would be found that in all other cases of office held by appointment, the statutory provisions relative to the particular office cover all vacancies, however arising, whether by death, resignation, removal, forfeiture, or expiration of term. The Castitutien (Art. 10, sec. 5) forbade the giving of this power to the Government.

to the Government.

THE ALEEGED CONTEMPT OF MR. CONSYER.

The only witness examined yesterday before Mr. Hiltor, the referree appointed by Judge Ingraham, was Dudley Field, son of David Dudley Field, senior counsel for Mr. Conover. He stated in his testimony that he was one of the firm of Field & Sluyter, and was present in the Superior Court when the occurrences testified to transpired. After the warrants were handed to Judge Peabody to sign, neither of them was given to witness nor did he touch either of them after they ware handed to the Judge. He heard Mr. Bredy make the announcement to the Court that he had served an injunction on Mr. Conover, at which time he does not know where Mr. Brewer was. He looked for him in the Court room but could not see him. He did not leave the Court room with either Mr. Brewer or Mr. Farrington. He left the building after Mr. Brady made the announcement, and after the Constable had come in with a load of books.

On the cross-examination, witness stated that he was first informed of the issue of the injunction of the Court of Common Pleas by the announcement of Mr. Brady; he never to his knowledge saw John R. Farrington until he entered the Court-room that morning with the books, nor did he know of his employment until then; he believes that the acarch warrant, as originally drawn, was not directed to any constable; he was out of town when the original was drawn; he altered it so that it was directed to any constable as well as the Sheriff; he thinks previous to Judge Peabody's decision that the certificater was a say; he does not know who requested John R. Farrington to THE ALLEGED CONTEMPT OF MR. CONSVER.

well as the Sheriff; he thinks provious to sudge res-body's decision that the certiforar's was a stay; he does not know who requested John R. Farrington to be in attendance that day; he did not see Joseph B. Pollor kg oo out of the Court.

The remainder of the testimony was a long and tesious statement of the ninutize of the proceed-ings on the day when Judge Pesbody signed the war-rants, having no interest to the readers of Tax TRIEUNE.

WHO SHALL BE GUARDIAN OF THE STANLY CHIL-

DREN!—A REFRENCE ORDERED.

In the matter of the application of Marcus C. Stanly for the appointment of John J. Deans as guardian of the persons of Claude O. Stanly and Elia Stanly.

The applicant in this case is the Mr. Stanly, on whose petition the Legislature passed an act last Winter legitimatizing his children by Eliza C. Fairchild. which was so hastily repealed on the petition of the mother, who was averse to the father's having the custody of their children. He now moves for as guardien. The ground of his petition is that Mrs. Fairchild is keeping her boy and girl in a disreputable house.

The following is Mr. Stanly's PETITION.

The following is art. Stamy a

PRITION.

To the Honorable, one of the Justices of the Supreme Court of
the State of New York for the First Judicial District.

This, the second petition herein of Marcus C. Stanly
of the City of New-York, respectfully showeth—That on
or about the 16th day of December, 1854, your petitioner presented a petition entitled herein to the Honorable James J. Koosevelt, then and now one of the
Justices of this Court, a copy of which is hereto annexed marked A. That on that day, and on fling of
such petition, an order was made, a certified copy of
which is hereto annexed marked B.

That on the 18th day of said December, Mrs. Bliza
C. Fairchild, otherwise known as Stanly, having been
personally served with the said petition and order, appeared before the said Court in person and by counsel,
and that the reupon an order was made by said Justice,
referring to John P. Crosby, esq., the mattern set forth
in the said petition, and directing him to take proof of
the material facts therein charged, and to report the
seme to this Court.

That the mestings before the said referee, to the

in the said petition, and directing his to take proof of
the material facts therein charged, and to report the
same to this Court.

That at the meetings before the said referse, to the
number of seven or eight, the respondent, said Eliza,
appeared in person, and also by counsel, and the said
reference was diligently proceeded with by your petitioner until about one hundred and fitty folios of testimony had been taken on his behalf. That on the 24th
day of February, 1855, the proceedings before the said
referee were suspended by mutual consent of the respective counsel in the matter, and an order may by
the Hen. Robert H. Morris, deceased, then one of the
Justices of this Court, a certified copy of which it
hereto annexed, marked C, under and by which Lyade
C. Ferris, then of said city of New-York, physician,
was appointed the guardian of said infants, Claude
G, and Ella Stanly, as will be more fully perceived by
a reference to the copy of said order.

That the said ferris as such guardian entered upon
the perk mance of his duties immediately thereaf er,
and continued to faithfully perform the same up to the
19th day of February, 1855, at which time he renoved
from the said city to the State of Vermont, where h
has taken up his permanent residence with his family.
That on that day, at the request of the said guardian,
your petitioner applied to this Court for an order which
should release the said guardian from the powers coaferred and duties imposed by the said order of the 24th
day of February, 1855; and that thereupon an order,
a certified copy of which is hereto annexed, marked
D. was made and duty entered, through and under

ferred and duties imposed by the said order of the 24th day of February, 1855; and that thereupon an order, a certified copy of which is hereto annexed, marked D, was made and duly entered, through and under which, as will be perceived by a reference thereto, the said guardianship was made to cease and determine. That during the whole of the time of the existence of such guardianship, your petitioner promptly and fully compiled with the terms of the said order of the 24th day of February, 1855, by which he was directed to make certain payments for the support and maintonance of the said children, and that since the operation of the said order was suspended, he has continued to make proper and ample provision for their supportand naintenance, and that he is still desirous and able to still further contribute moneys for those objects.

That since the departure of the said Ferris from the City of New-York, he has not, nor has your petitioer, exercised any control whatever over the culture, education or fornation of the habits of the said children, who have since that time been without any guardian whatever. That since then and up to the present time they have been and now are in the custody and under the care of their mother, who controls them without being responsible for her acts in that behalf nor for their moral culture to any tribunal or person whatever or whomseever.

That since the departure of the said Ferris, your percent in the custody and the controls them without their gresponsible for her acts in that behalf nor for their moral culture to any tribunal or person whatever or whomseever.

the care of their mother, who controls them without being responsible for her acts in that behalf nor for their motal culture to any tribunal or person whatever or whomseever.

That since the departure of the said Ferris, your petitioner has seen the said mother and one of the said children, in one of the most public thoroughfares in this city, in company with a woman of abandoned and grossly immoral character, and with whom, under the sufferance and consent of the said mother, the said child was conversing.

That your petitioner has reason to believe and charges that the said mother, Eliza C. Fairchild, Is again in the babit of associating with persons of her own sex of depraved character, and of locus, lewd and immoral lives and conduct, who are permitted to see and converse with the said infants, they beling now arrived at an age when such influences will exactise an immoral and peruicious effect upon their minds.

That your petitioner has consulted with several gentlemen of high standing, who reside in the City of New-York, one of whom it John J. Donan, esq., sow the Register of the City and County of New-York, who have all expressed themselves willing to act as the guerdian of the said children, upon the same terms and conditions as those prescribed by the order ander which the said Ferris was appointed.

And your petitioner further shows that the said Eliza C. is unable, in a pecuniary point of view, to upport said children, and us an unit and improper person, by reason of her unchaste and immoral habits and children, and that their continuance with hor under her charge will have a peruisious effect upon their character and morals.

That since the filing of the said polition, and within a few weeks last past, your petitioner obtained the passage of a law by the Legislature of the State of New-York, in and by which the said children were deemed and declared to be the legislature of the said children and their sole legal parent, and invested with all the rights and powers, with the corresponding liabilities

That your petitioner never has sought, nor does han new seek, to obtain either directly or indirectly the control or custody of the said children, and that he is new and has ever been in any and all steps, legal or otherwise, taken by him, actuated solely by a seems to promote their future happiners and welfare.

Wherefore your petitioner prays that your Heast will order and direct the said Elias to suppar before your Hosor, at a time and place to be specified, then and there to show cause why the prayer of the petition should not be granted. That your Heast will in the said that and though it accusally, inquire take the traff of them and though if accusally, inquire take the traff of

The raction to continue the related to recording to the conduction. Mr. C. Continue